

III. Amendments to the Drawings

The attached sheets of drawings includes changes to Figure 7 replacing prior sheet number 2/2 and adds new sheet number 3/3 including new Figures 8 and 9.

IV. Remarks

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

After entering this amendment, claims 2-5 remain pending.

Specification Amendments

Paragraph [0036] of the specification has been amended to add reference number "5a" and the term "mechanism", and to delete the term "correct" with respect to a vertical headlight adjustment. Paragraph [0036] has also been amended to clarify that a horizontal adjusting action member 6 adjusts "a horizontal swiveling mechanism 6a." The horizontal swiveling mechanism 6a finds support at least in original paragraph [0013]. It is respectfully submitted that these changes constitute a mere rewording of the passage and no new matter has been added. See MPEP § 2163.07(I).

Drawing Amendments

Figure 7 of the drawings has been amended to add reference numbers 5a and 6a and the appropriate leader lines. Reference number 5a indicates the vertical headlight adjustment originally disclosed at least in paragraph [0036]. Reference number 6a indicates the horizontal swiveling mechanism originally disclosed at least in paragraph [0013]. Additionally, Figs. 8 and 9 have been added to clarify the structure shown in original FIG. 7. Fig. 8 is a rear view of the headlamp of Fig. 7 and

Fig. 9 is a sectional view along the line 9-9 of Fig. 8. It is respectfully submitted that no new matter has been added.

Drawing Objections

The Examiner objects to the drawings under 37 C.F.R. § 1.83(a) because they fail to show the mechanical structure or arrangement enabling rotation of the low and high beam light chambers as described in the specification. As noted above, Figs. 8 and 9 have been added to more clearly show one example of a mechanism used to provide vertical and horizontal adjustment of the low and high beam chambers. As noted at least in paragraph [0026], the mechanism of the present headlamp is conventional and does not comprise any additional parts over and above the parts usually found in current headlamps. It can now be clearly seen that the vertical adjusting action member 5 acts on the vertical headlight adjustment mechanism 5a to pivot both light chambers 1 and 3 vertically. Likewise, the horizontal adjusting action member 6 acts on the horizontal swiveling mechanism 6a to swivel the low beam light chamber 1 horizontally. Accordingly, it is believed this objection is now moot and should be withdrawn.

Claim Rejections - 35 U.S.C. § 102(b)

Claims 2-3 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Pub. No. 2002/0097585, to Mochizuki et al. ("Mochizuki"). Applicant respectfully traverses this rejection.

As noted by the Examiner, Mochizuki discloses a vehicle headlamp having a main reflector 13 forming a low beam and a sub-reflector 19, See Mochizuki at

paragraph [0035] and FIG. 1. Two *manual* aiming screws 11 are configured for concurrent vertical and horizontal *manual* adjustment of the main reflector 13 and the sub-reflector 19. *Id.* at paragraph [0034] and FIG. 2. While claims must be interpreted as broadly as their terms reasonably allow, the plain language of claim 2 explicitly limits the vertical adjusting action member to a member forming a part an *automatic* adjusting system, making the Examiner's implication to the contrary incorrect. From this, it is submitted that Mochizuki fails to disclose a vehicle headlamp comprising a low beam light chamber and a high beam light chamber both being *vertically* adjusted by a vertical adjusting action member that is part of an *automatic* adjusting system.

In response to the Examiner's position that providing an automatic means cannot generally be used to distinguish over manual prior art if the automatic means accomplishes the *same result*, it is respectfully submitted that an automatic means that accomplishes an entirely *different result* does distinguish over manual prior art. See *In re Venner*, 120 USPQ 193 (CCPA 1958). As noted by the Examiner, the vertical aiming screw 11 of Mochizuki is configured to tilt a bracket 5 that allows the reflectors 13 and 19 to be manually set to a static vertical alignment. See Mochizuki, paragraphs [0033] – [0035] and Figs. 2-3. As a result, the vertical alignment of the reflectors 13 and 19 of the headlamp of Mochizuki *cannot* be dynamically changed between high beam, low beam and flash operational modes during operation of the vehicle. On the other hand, the automatic vertical adjustment system of the present invention *allows* the vertical alignment of the high and low beam light chambers to be dynamically changed to optimize the illumination of the road between high beam, low beam and flash operational modes. See App. 10/820,913 at paragraphs [0037],

[0042] and [0043]. Based on this, it is respectfully submitted that the automatic vertical adjustment system of the present invention distinguishes over the manual system of Mochizuki because the automatic system accomplishes an entirely *different result*. See *In re Venner*.

Accordingly, for at least the above reasons the rejections based Mochizuki should be withdrawn.

Claim Rejections - 35 U.S.C. §103(a)

Claims 4 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Pub. No. 2002/0097585, to Mochizuki et al. ("Mochizuki"). Applicant respectfully traverses this rejection.

Since claim 4 depends from claim 2, which has now been shown to be allowable, it is respectfully submitted that claim 4 is likewise allowable for at least the same reasons as claim 2. Specifically, and as discussed above, Mochizuki fails to disclose or suggest a vertical adjusting action member that is part of an *automatic* adjusting system vertically adjusting both a low beam light chamber and a high beam light chamber.

In that Mochizuki fails to disclose or suggest the above features, it must be concluded that Mochizuki cannot render claims 4 and 5 of the present application as obvious. The rejection under § 103 should therefore be withdrawn.

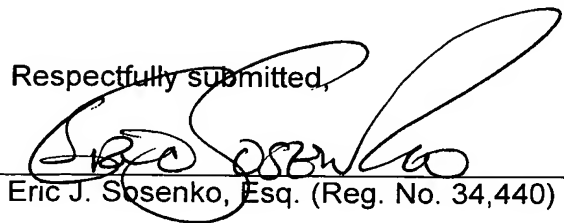
Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of

record and that this application is now in condition for allowance. Such action is respectfully requested.

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Date

Respectfully submitted,


Eric J. Sosenko, Esq. (Reg. No. 34,440)

Attachments: Replacement Sheets of Drawings for Sheets 1/3, 2/3 and 3/3